

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**JOSEPH E. CANNON,**

**Plaintiff,**

**VS.**

**DEBRA REYNOLDS,**

**CHESTER JAMES,**

**DR. RICHARD MAYO,**

**DR. MICHAEL BERRY,**

**DR. ROBERT ELLIOTT,**

**DEBORAH MCCOY,**

**K.D. JOST,**

**KENT DESHAZO,**

**JEFFERY WALL,**

**FREDERICK C. ABBOTT,**

**JOHN DOE,**

**and**

**CONTINENTAL AIRLINES, INC.,**

## Defendants.

**CIVIL ACTION NO. H-05-3136**

## MEMORANDUM AND ORDER

Pending before the Court is Defendant Robert Elliott, Ph.D.'s motion to dismiss on grounds of lack of jurisdiction and failure to serve process. On February 23, 2006, the Court granted Plaintiff's motion for an extension of time within which to serve Dr. Elliott. Accordingly, Elliott's motion, Docket No. 37, is **DENIED WITHOUT PREJUDICE TO REILING**.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 13th day of March, 2006.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", is written over a horizontal line.

KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**